

John W. Stephens, OSB No. 773583
Email: stephens@eslerstephens.com
ESLER STEPHENS & BUCKLEY
888 S.W. Fifth Avenue, Suite 700
Portland, Oregon 97204-2021
Telephone: (503) 223-1510
Fax: (503) 294-3995

Edward W. Goldstein, Esq.
Email: egoldstein@gfpiplaw.com
Corby R. Vowell, Esq.
Email: cvowell@gfpiplaw.com
GOLDSTEIN, FAUCETT & PREBEG, L.L.P.
1177 West Loop South, Suite 400
Houston, Texas 77027
Telephone: (713) 877-1515
Fax: (713) 877-1145

Of Attorneys for Plaintiff Gary Odom

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

GARY ODOM, an Oregon resident,

Plaintiff,

v.

ATTACHMATE CORPORATION, a
Washington corporation; **AUSTHINK USA,**
INC., a Delaware corporation; **BAE**
SYSTEMS, INC., a Delaware corporation;
BBS TECHNOLOGIES, INC., a Texas
corporation; **COMPONENTONE, LLC**, a
Pennsylvania corporation; **DIONEX**
CORPORATION, a Delaware corporation;
DUOSERVE, INC., a California corporation;
EMPORTAL, INC., a California corporation;
ESQUIRE INNOVATIONS, INC., a Nevada
corporation; **FINDEX.COM, INC.**, a Nevada
corporation; **FRONTLINE SYSTEMS, INC.**,
a Nevada corporation; **GE FANUC**

Case No. 09-406-MO

**MEMORANDUM IN SUPPORT OF
MOTION OF JOHN W. STEPHENS
FOR LEAVE TO WITHDRAW AS
LOCAL COUNSEL FOR GARY ODOM**

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**MEMORANDUM IN SUPPORT OF MOTION OF
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ODOM**

ESLER, STEPHENS & BUCKLEY
Attorneys at Law
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Portland, Oregon 97204-2021
Telephone: (503) 223-1510
Facsimile: (503) 294-3995

INTELLIGENT PLATFORMS, INC., a Delaware corporation; **LIVINGSTON TECHNOLOGIES, INC.**, a Utah corporation; **MATCHWARE, INC.**, a Florida corporation; **METAPRODUCTS CORPORATION**, a Florida corporation; **MICROSYSTEMS COMPANY, LLC**, an Illinois corporation; **MINDJET CORPORATION**, a Delaware corporation; **MVP SYSTEMS SOFTWARE, INC.**, a Connecticut corporation; **OMNIVEX CORPORATION**, an Ontario corporation; **PROMT AMERICAS**, a California corporation; **SIEMENS PRODUCT LIFECYCLE MANAGEMENT SOFTWARE, INC.**, a Delaware corporation; **SIMTEH SOFTWARE, INC.**, a Texas corporation; **SMARTDRAW.COM**, a California corporation; **TECHSMITH CORPORATION**, a Michigan corporation; **TLM, INC.**, a Washington corporation; **TRADERS DEVELOPMENT, LLC**, a California corporation; and **UNIFY CORPORATION**, a Delaware corporation,

Defendants.

Local Rule 7.1 Certification

Counsel have made a good faith effort through personal or telephone conferences to resolve this dispute, but have been unable to do so.

Memorandum in Support of Motion for Leave to Withdraw

Pursuant to LR 83.11(a), John W. Stephens of Esler Stephens & Buckley hereby moves this Court for leave to withdraw as local counsel for Gary Odom.

Mr. Stephens was retained as local counsel in this case by Goldstein Faucett & Prebeg. Mr. Stephens is informed and believes that the Goldstein firm will be moving to withdraw as lead counsel now or in the near future. Mr. Stephens' agreement with the Goldstein firm was that

Goldstein, and not Mr. Stephens, would serve as lead counsel. Mr. Odom was familiar with and consented to this agreement. Mr. Stephens and Esler Stephens & Buckley are unable and unwilling to replace the Goldstein firm as lead counsel.

Mr. Stephens understands that Mr. Odom has been and continues to search for lead counsel to replace the Goldstein firm. Once new counsel has been retained, it will likely want to choose its own local counsel, if necessary. Mr. Stephens will assist Mr. Odom in making any transition to new local counsel.

DATED this 11th day of December, 2009.

By: /s/ John W. Stephens
John W. Stephens, OSB No. 773583
Email: stephens@eslerstephens.com
ESLER STEPHENS & BUCKLEY
700 Pioneer Tower
888 S.W. Fifth Avenue
Portland, Oregon 97204-2021
Telephone: (503) 223-1510
Facsimile: (503) 294-3995
Of Attorneys for Plaintiff Gary Odom

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